

**REMARKS**

No new matter has been introduced.

Claims 3-16 have been amended to avoid multiple dependency.

Early and favorable consideration with respect to this application is respectfully requested.

These changes have been made in accordance with 37 C.F.R. § 1.121 as amended on November 7, 2000. A marked-up version of Claims 3-16 indicating the changes is enclosed with this Preliminary Amendment.

Should any questions arise in connection with this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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Date: December 26, 2001

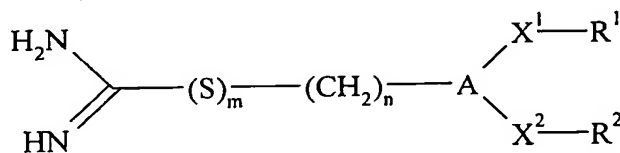
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Attachment to Preliminary Amendment dated December 26, 2001

**Marked-up Claims**

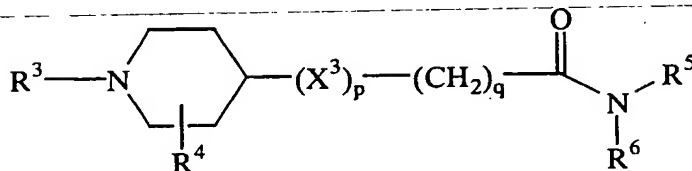
3.(Amended) The liposome according to claim 1[ or 2], wherein a molar ratio of said acidic compound is 0.5 to 30 mol% of total liposome membrane constituents.

4.(Amended)The liposome according to [any one of claims 1 to 3] claim 1, wherein said basic compound is represented by any one of the following Formulae 1 to 4:



Formula 1

(in Formula 1, A represents an aromatic ring. R<sup>1</sup> and R<sup>2</sup> represent an alkyl group or alkenyl group having 10 to 25 carbon atoms, where R<sup>1</sup> and R<sup>2</sup> may be the same or different. X<sup>1</sup> and X<sup>2</sup> represent -O-, -S-, -COO-, -OCO-, -CONH- or NHCO-, where X<sup>1</sup> and X<sup>2</sup> may be the same or different. m is 0 or 1, and n is 0 or an integer of 1 to 6.)

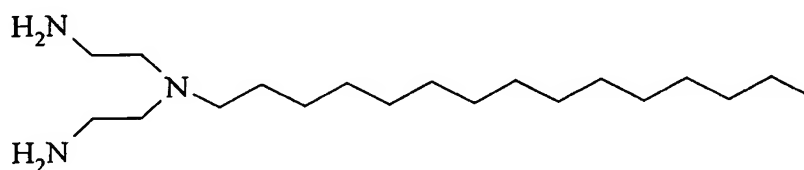


Formula 2

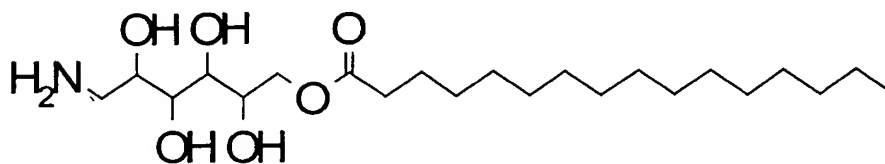
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**Marked-up Claims**

(in Formula 2, R<sup>3</sup> represents hydrogen or an alkyl group or alkenyl group having 1 to 8 carbon atoms. R<sup>5</sup> and R<sup>6</sup> represent hydrogen, or an alkyl group or alkenyl group having 1 to 25 carbon atoms, (except for the case where both R<sup>5</sup> and R<sup>6</sup> are hydrogen atoms), where R<sup>5</sup> and R<sup>6</sup> may be the same or different. X3 represents -O- or -S-. p is 0 or 1, and q is 0 or an integer of 1 to 10).



Formula 3



Formula 4

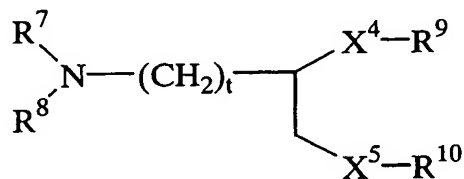
~~5. (Amended) The liposome according to [any one of claims 1 to 4] claim 1,~~

wherein said basic compound is a basic compound having a quaternary amine or a tertiary amine.

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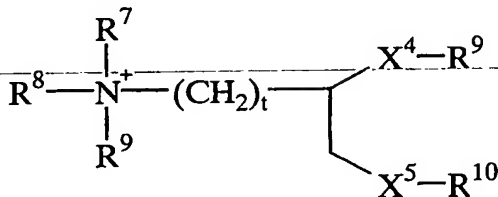
**Marked-up Claims**

6.(Amended) The liposome according to [any one of claims 1 to 5] claim 1, wherein said basic compound is selected from the group consisting of the following Formulae 5 and 6.



Formula 5

(in Formula 5,  $\text{R}^7$  and  $\text{R}^8$  represent an alkyl group or alkenyl group having 1 to 8 carbon atoms, where  $\text{R}^7$  and  $\text{R}^8$  may be the same or different.  $\text{X}^4$  and  $\text{X}^5$  represent -O- or -OCO-, where  $\text{X}^4$  and  $\text{X}^5$  may be the same or different.  $\text{R}^9$  and  $\text{R}^{10}$  represent an alkyl group or alkenyl group having 10 to 20 carbon atoms, where  $\text{R}^9$  and  $\text{R}^{10}$  may be the same or different.  $t$  is an integer of 1 to 6.)



Formula 6

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**Marked-up Claims**

(in Formula 6, R<sup>7</sup>, R<sup>8</sup> and R<sup>9</sup> represent an alkyl group or alkenyl group having 1 to 8 carbon atoms, where R<sup>7</sup>, R<sup>8</sup> and R<sup>9</sup> may be the same or different. X4 and X5 represent -O- or -OCO-, where X4 and X5 may be the same or different. R<sup>9</sup> and R<sup>10</sup> represent an alkyl group or alkenyl group having 10 to 20 carbon atoms, where R<sup>9</sup> and R<sup>10</sup> may be the same or different. t is an integer of 1 to 6.).

7.(Amended) The liposome according to [any one of claims 1 to 6] claim 1, wherein said phosphoric acid monoester derivative is selected from predonisolone phosphate, riboflavin phosphate, and phosphatidic acid.

8.(Amended) The liposome according to [any one of claims 1 to 7] claim 1, wherein said compound having a carboxyl group or its salt, is a fatty acid.

9.(Amended) The liposome according to [any one of claims 1 to 8] claim 1, wherein said fatty acid is oleic acid, stearic acid, palmitic acid, or myristic acid.

10.(Amended) The liposome according to [any one of claims 1 to 9] claim 1, wherein the liposome membrane constituent other than [1] and [2], is phospholipid or its derivative, and/or sterol or its derivative.

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**Marked-up Claims**

11.(Amended)The liposome according to [any one of claims 1 to 10] claim 1, wherein said drug intended for the therapy and/or diagnosis is an anti-cancer agent, an antibiotic, an enzyme agent, an enzyme inhibitor, an antioxidant, a lipid uptake inhibitor, a hormone agent, an anti-inflammatory agent, a steroid agent, a vasodilator, an angiotensin converting enzyme inhibitor, an angiotensin receptor antagonist, a growth/migration inhibitor for smooth muscle cells, a platelet aggregation inhibitor, an anticoagulant, a chemical mediator releasing inhibitor, a vascular endothelial cell growth or suppressing agent, an aldose reductase inhibitor, a mesangium cell growth inhibitor, a lipoxigenase inhibitor, an immunosuppressor, an immunoactivator, an antiviral agent, a Maillard reaction inhibitor, an amyloidosis inhibitor, an NOS inhibitor, an AGEs inhibitor, or a radical scavenger.

12.(Amended)The liposome according to [any one of claims 1 to 10] claim 1, wherein said drug intended for the therapy and/or diagnosis is a nucleic acid, a polynucleotide, a gene and its analogue.

13.(Amended)The liposome according to [any one of claims 1 to 10] claim 1, wherein said drug intended for the therapy and/or diagnosis is glycosaminoglycan and its derivative.

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**Marked-up Claims**

14.(Amended) The liposome according to [any one of claims 1 to 10] claim 1, wherein said drug intended for the therapy and/or diagnosis is oligo- and/or polysaccharide, and derivative thereof.

15.(Amended) The liposome according to [any one of claims 1 to 10] claim 1, wherein said drug intended for the therapy and/or diagnosis is protein or peptide.

16.(Amended) The liposome according to [any one of claims 1 to 10] claim 1, wherein said drug intended for the therapy and/or diagnosis is an intracorporeal diagnostic drug such as an X-ray contrasting medium, a radiolabeled nuclear medicinal diagnostic drug, or a nuclear magnetic resonance diagnostic drug for diagnosis.